

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**THERESE RUSSELL**

**Plaintiff,**

v.

**BABCOCK & WILCOX TECHNICAL  
SERVICES PANTEX, LLC,**

**Defendant.**

**CIVIL ACTION NO. 2:09-CV-194-J**

**AGREED MOTION TO DISMISS THE CLAIMS OF  
PLAINTIFF THERESE RUSSELL**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COME NOW Therese Russell (“Plaintiff”) and Babcock & Wilcox Technical Services Pantex, LLC (“Pantex”) (collectively the “Parties”), by and through their counsel of record, and file this Agreed Motion to Dismiss the Claims of Plaintiff Therese Russell. In support of this motion, the Parties state that all claims of Plaintiff against Defendant should be dismissed with prejudice for the reason that Plaintiff has decided that she no longer wishes to pursue her cause of action under the Fair Labor Standards Act.

WHEREFORE, the parties respectfully request that the Court grant this motion and enter the Parties’ Agreed Order of Dismissal for the Claims of Plaintiff Therese Russell.

Respectfully submitted,

Bradley W. Howard  
State Bar No. 00786452  
Robert C. Vartabedian  
State Bar No. 24053534  
BROWN & FORTUNATO, P.C.  
905 South Fillmore, Suite 400 (79101)  
P.O. Box 9418  
Amarillo, TX 79105-9418  
(806) 345-6300 Telephone  
(806) 345-6363 Facsimile  
[bhoward@bf-law.com](mailto:bhoward@bf-law.com) Email

By: /s/ Bradley W. Howard  
Bradley W. Howard

**ATTORNEYS FOR DEFENDANTS**

Jason C. Webster  
Texas Bar No. 24033318  
MATTHEWS & ASSOCIATES  
2905 Sackett  
Houston, TX 77098  
(713) 222-8080 Telephone  
(713) 535-7184 Fax  
[dmatthews@thematthewslawfirm.com](mailto:dmatthews@thematthewslawfirm.com)  
[jwebster@thematthewslawfirm.com](mailto:jwebster@thematthewslawfirm.com)

By: /s/ Jason C. Webster  
Jason C. Webster

Michael A. Warner  
Texas Bar No. 20872700  
THE WARNER LAW FIRM  
101 S.E. 11<sup>th</sup>, Suite 301  
Amarillo, TX 79101  
(806) 372-2595 Telephone  
(806) 372-5674 Fax  
[mawarner@suddenlinkmail.com](mailto:mawarner@suddenlinkmail.com)

By: /s/ Michael A. Warner  
Michael A. Warner

**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document and that a true and correct copy was served on the parties listed below through the electronic case filing system if the Notice of Electronic Filing indicated that the parties received it or otherwise by mailing a copy by Certified Mail, Return Receipt Requested, to the parties this 16<sup>th</sup> day of April, 2010.

Michael A. Warner  
The Warner Law Firm  
101 S.E. 11<sup>th</sup>, Suite 301  
Amarillo, TX 79101

Jason C. Webster  
Matthews & Associates  
2905 Sackett  
Houston, TX 77098

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/s/ Bradley W. Howard  
Bradley W. Howard

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